

EXHIBIT E

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November 11, 2020

VIA ELECTRONIC MAIL

Michael J. Ercolini
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Re: *Singular Computing LLC v. Google LLC*, 1:19-cv-12551-FDS (D. Mass.)

Dear Michael:

I write with respect to Singular's "First Request for Email Production." We have collected the ESI related to the custodians Singular listed and tested the proposed search strings. Those tests reveal that the search strings yield an inordinate amount of irrelevant and non-responsive material. We therefore propose the following revisions that better target potentially relevant and responsive material:

- joe@singularcomputing.com OR joebates@mit.edu OR (Singular AND Bates)
- (joe AND (bates OR singular*)) OR joe@singularcomputing.com OR joebates@mit.edu OR (Singular AND Bates) OR (singular /2 computing)
- ("TPU" or "Tensor Processing Unit") AND (bloat16 OR bF16 OR "Brain Float" or brainfloat)
- ("TPU" OR "Tensor Processing Unit") AND (approximate OR precision) AND (arithmetic OR float* OR multipl* OR accumul* OR matrix)
- (Jellyfish OR Jellydonut OR "JFC") AND (approximate OR precision) AND (arithmetic OR float* OR multipl* OR accumul* OR matrix)
- "Mac Truck" OR "Mactruck"
- (SeaStar OR "Sea Star") AND (approximate OR precision) AND (arithmetic OR float* OR multipl* OR accumul* OR matrix)
- Squid AND (approximate OR precision) AND (arithmetic OR float* OR multipl* OR accumul* OR matrix)
- (TPU OR JellyFish OR Jellydonut OR JFC OR SeaStar or "Sea Star") AND (multipl* OR MXU or Matrix)

Please let us know if you agree with these proposed modifications or if there are alternatives you would like us to test against the collected custodial ESI.

November 11, 2020

Page 2

A few points about Singular's request bear mentioning.

First, although your request sought only emails, we assume Singular would prefer that Google run search terms across both e-mail **and** non-email custodial ESI, and that Singular will likewise apply Google's eventual search terms to e-mail and non-email custodial ESI. Please confirm that is the case.

Second, Google has little custodial ESI for one of the custodians listed by Singular, Andrew Ng, because he has not worked for Google since 2014. Please let us know if Singular would like to replace Mr. Ng with a different custodian, with the understanding that additional collection and processing will take some time.

Third, because Singular's request for emails is styled as its "first," the request implies that Singular will serve additional requests for custodial ESI. Google has already declined Singular's proposal for multiple rounds of custodial ESI review as impractical and unduly burdensome. Google therefore will not perform additional custodial ESI searches after the parties have finalized search terms and custodians.

Fourth, although Singular's request seeks "all non-privileged emails" that hit search terms, an "agreement to run a search using the parties' agreed-upon terms does not constitute . . . acquiescence to produce all resulting documents." *FlowRider Surf, Ltd. v. Pac. Surf Designs, Inc.*, No. 15CV1879-BEN (BLM), 2016 WL 6522807, at *8 (S.D. Cal. Nov. 3, 2016); *see also Monolithic Power Sys., Inc. v. Intersil Corp.*, No. CV 16-1125-LPS, 2018 WL 6077973, at *1 (D. Del. Nov. 19, 2018) (adopting special master's recommendation to deny "motion to compel [defendant] to produce all non-privileged email returned by agreed-upon search terms/custodians without conducting a 'relevance review'"). As we said in prior discussions, Google will perform a relevance and responsiveness review on any documents that hit the final, agreed-upon search terms.

Sincerely,

A handwritten signature in black ink that reads "Matthias Kamber". The signature is written in a cursive, slightly slanted style.

Matthias A. Kamber